

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

A.T. INDIVIDUALLY and as PARENT  
AND NATURAL GUARDIAN OF O.T.,  
a minor

: CIVIL ACTION

v.

: NO. 17-4983

OLEY VALLEY SCHOOL DISTRICT

**ORDER**

AND NOW, this 8<sup>th</sup> day of November 2019, upon review of the parties' submissions concerning the Rule 35 mental examination of Plaintiff O.T., it is hereby ORDERED that:

1. Plaintiff O.T. shall reappear at a mutually agreed time and place within 30 days for a new Rule 35 mental examination to be conducted by Dr. Julie A. Kessel.
2. Plaintiff is permitted to have a chaperone accompany her to the examination, but the chaperone shall not be either of her attorneys nor any other attorney from Plaintiff's counsel's law firm.
3. The chaperone is not permitted in the exam room during the examination, but may remain in a nearby room.
4. The mental examination shall be limited to no more than 4 hours.
5. Plaintiff O.T. is permitted to ask for a break at any time during which she may speak to her chaperone.
6. The mental examination shall not be transcribed or recorded in any manner.
7. The costs for conducting the examination, including Dr. Kessel's expenses, shall be shared equally by Plaintiff's counsel and defense counsel and are to be based on expenses ordinarily connected with examinations by experts.
8. No attorney fees are awarded to Plaintiff's counsel.
9. All fact discovery shall be completed by December 20, 2019.
10. Dr. Kessel's report is due by no later than January 10, 2020.

**BY THE COURT:**

/s/ Jeffrey L. Schmehl  
**JEFFREY L. SCHMEHL, J.**